



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: April 14, 2010

SUBJECT: **Agenda Item VI: Consideration of resolution authorizing acceptance of an approximately 7-acre conservation easement over a portion of APN 4458-018-019, adjacent to Malibu Bluffs Park, support for the project, and acceptance of a monitoring endowment, City of Malibu.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing acceptance of an approximately 7-acre conservation easement over a portion of APN 4458-018-019, adjacent to Malibu Bluffs Park, support for the project, and acceptance of a monitoring endowment, City of Malibu.

A single applicant is processing two projects on the east end of the Malibu Bluffs in the City of Malibu. They are called the Towing Site and the Crummer Trust Parcel. The Santa Monica Mountains Conservancy has commented on both projects and the applicant has agreed to open space protections on both projects. The applicant has been both up front and forthcoming on the consideration of potential mitigation measures. This item addresses the larger Crummer Trust Parcel.

In February the California Coastal Commission approved a Local Coastal Plan Amendment for this project. The Commission's approval contained Suggested Modifications and Revised Findings with regard to a conservation easement that the applicant had agreed to earlier. The Commission's action increased that voluntary conservation easement from five to seven acres. The Commission also required other conditions including significant funding for lost cost visitor serving coastal accommodations and a general use public park between the existing Little League fields and the proposed five residence development.

The attached letter dated April 7, 2010 sets forth a mutual understanding between the MRCA and the applicant, Big Rock Partners, LLC, to be considered by the Governing Board under this agenda item. In combination with the Commission's conditions and this separation conservation easement agreement, staff also recommends support for the proposed project. The Crummer Trust Parcel project

must go back before the Commission on April 16, 2010 and then must go through the City of Malibu entitlement process including an Environmental Impact Report. The approvals to date already provide a substantial guaranteed mitigation package and a defined development footprint that reflects the Conservancy's requests in its Notice of Preparation comment letter.

The proposed agreement between MRCA and Big Rock Partners, LLC is laid out in the attached letter. A map of the over all parcel is also attached. The agreement provides for a contiguous seven-acre conservation (allowed uses stated), a \$1,000 staff processing fee, and a \$25,000 easement monitoring endowment. The easement would circle around the project from Pacific Coast Highway to the City-owned Malibu Bluffs Park.